

**BANKRUPTCY COURT
DISTRICT OF OREGON**

2016 OCT 20 AM 11:04

LOGGED _____ REC'D W
FILED _____ DOCKETED _____

1 Adam E. Jones (OSB# 152429)
2 **FORSBERG & UMLAUF, P.S.**
3 901 Fifth Avenue, Suite 1400
4 Seattle, WA 98164
5 Telephone: 206.689.8500
6 Fax: 206.689.8501
7 Email: ajones@foum.law

8 Brian A. Kelly (SBN 124738) (*pro hac vice* pending)
9 **DUANE MORRIS LLP**
10 One Market Plaza, Spear Tower, Suite 2200
11 San Francisco, CA 94105-1127
12 Telephone: 415.957.3000
13 Fax: 415.957.3001
14 E-mail: bakelly@duanemorris.com

15 Attorneys for Defendants
16 CERTAIN UNDERWRITERS AT LLOYD'S,
17 LONDON AND CERTAIN LONDON MARKET
18 COMPANIES

12 **UNITED STATES BANKRUPTCY COURT**
13 **FOR THE DISTRICT OF OREGON**
14 **PORTLAND DIVISION**

16 In re:

17 KAISER GYPSUM COMPANY, INC. and
18 HANSON PERMANENTE CEMENT, INC.
(f/k/a Kaiser Cement Corporation),
19 Debtors.

20 KAISER GYPSUM COMPANY, INC. and
21 HANSON PERMANENTE CEMENT, INC.
(f/k/a Kaiser Cement Corporation),
22 Plaintiffs,

23 v.
24

25 AIU INSURANCE COMPANY et al.,
26 Defendants.

Case No.:

**LONDON MARKET INSURERS'
MOTION TO TRANSFER VENUE**

REQUEST FOR ORAL ARGUMENT

DEMAND FOR JURY TRIAL

1 **I. CERTIFICATE OF COMPLIANCE**

2 Pursuant to L.B.R. 7007-1(a), the parties made a good faith effort through a telephone
3 conference to resolve the issues raised herein and have been unable to do so.

4 **II. MOTION**

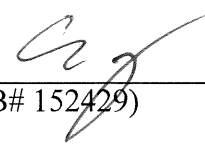
5 Pursuant 28 U.S.C. §§ 1412 and/or 1404, Defendants Certain Underwriters at Lloyd's,
6 London and Certain London Market Companies ("London Market Insurers" or "LMI") move for
7 transfer of venue of this action to the Western District of North Carolina, for referral to the
8 Bankruptcy Court of the Western District of North Carolina. Transfer is warranted because it is
9 more efficient for the underlying-bankruptcy forum to adjudicate all claims affecting the estate. It
10 is also warranted because no parties are Oregon citizens.

11 This Motion is based on the attached Brief Supporting Motion to Transfer and any exhibits
12 thereto; the Request for Judicial Notice In Support of Motion to Transfer and any exhibits thereto;
13 the files and records in this action; and such other evidence as may be introduced at or before the
14 time of the hearing.

15 London Market Insurers request oral argument. This motion is brought in good faith and
16 not for purposes of delay.

17 Dated: October 20, 2016

FORSBERG & UMLAUF, P.S.

19 By: /s/ Adam E. Jones 
20 Adam E. Jones (OSB# 152429)

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

SIGNED this 20th day of October, 2016, at Seattle, Washington.

3

LONDON MARKET INSURERS' MOTION TO TRANSFER VENUE
Case 16-03127-rld Doc 3 Filed 10/20/16

PARTY	SERVICE ADDRESS
Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc.	<p>C/O C. Marie Eckert Miller Nash Graham & Dunn LLP 3400 U.S. Bancorp Tower 111 S.W. Fifth Avenue Portland, OR 97204</p> <p>Kay M. Brady Michael J. Lynch D. Syed Ali K&L Gates, LLP K&L Gates Center 210 Sixth Avenue Pittsburgh, PA 15222</p>
AIU Insurance Company	175 Water Street, 24th Floor New York, NY 10038
Allianz Underwriters Insurance Company <i>(f/k/a Allianz Underwriters, Inc.)</i>	225 W. Washington Street Suite 1800 Chicago, IL 60606-3484
Allstate Insurance Company <i>(as successor-in-interest to Northbrook Excess and Surplus Insurance Company f/k/a Northbrook Insurance Company)</i>	3075 Sanders Road Suite G2H Northbrook, IL 60062-7127
Associated International Insurance Company	Ten Parkway North Deerfield, IL 60015
Columbia Casualty Company	333 South Wabash Avenue Chicago, IL 60604
The Continental Insurance Company <i>(for itself and as successor-in-interest to Harbor Insurance Company AND as successor to certain policies issued by London Guarantee & Accident Company of New York)</i>	333 South Wabash Avenue Chicago, IL 60604
Executive Risk Indemnity, Inc. <i>(f/k/a Executive Re Indemnity Inc. f/k/a ERIC Reinsurance Company f/k/a American Excess Insurance Company)</i>	436 Walnut Street Philadelphia, PA 19106
Fireman's Fund Insurance Company	225 W. Washington Street Suite 1800 Chicago, IL 60606-3484
First State Insurance Company	100 High Street, Suite 800 Boston, MA 02110

PARTY	SERVICE ADDRESS
Lexington Insurance Company	99 High Street, 23rd Floor Boston, MA 02110
London & Edinburgh Insurance Company Ltd.	C/O The Hartford One Hartford Plaza Hartford, CT 06155-0001
Munich Reinsurance America, Inc. <i>(f/k/a American Re-Insurance Company)</i>	555 College Road East Princeton, New Jersey 08543-5241
National Casualty Company	8877 North Gainey Center Drive Suite A Scottsdale, AZ 85258
National Fire Insurance Company of Hartford <i>(f/k/a Transcontinental Insurance Company)</i>	333 South Wabash Avenue, Chicago, IL 60604
National Union Fire Insurance Company of Pittsburgh, PA <i>(for itself and as successor by merger to Landmark Insurance Company)</i>	175 Water Street 18th Floor New York, NY 10038
New England Reinsurance Corporation	100 High Street, Suite 800 Boston, MA 02110
Old Republic Insurance Company	133 Oakland Avenue Greensburg, PA 15601-0789
Sentry Insurance a Mutual Company <i>(as assumptive reinsurer of Great Southwest Fire Insurance Company)</i>	1800 North Point Drive Stevens Point, WI 54481
TIG Insurance Company <i>(as successor by merger to International Insurance Company, as successor by merger to International Surplus Lines Insurance Company) AND as successor by merger to Fairmont Premier Insurance Company, f/k/a TIG Premier Insurance Company, f/k/a Transamerica Premier Insurance Company)</i>	250 Commercial Street Suite 5000 Manchester, NH 03101-1116

PARTY	SERVICE ADDRESS
Transport Indemnity Company	R&Q Solutions LLC On behalf of Transport Indemnity Company 2 Logan Square 100 North 18th Street, Suite 600 Philadelphia, PA 19103
Truck Insurance Exchange	6301 Owensmouth Avenue Woodland Hills, CA 91367
Twin City Fire Insurance Company	One Hartford Plaza Hartford, Connecticut 06155-0001
United States Fire Insurance Company (<i>as successor by novation to Industrial Indemnity Company</i>)	305 Madison Avenue Morristown, NJ 07960
Westport Insurance Corporation (<i>as successor by merger to Employers Reinsurance Corporation</i>)	5200 Metcalf Avenue Overland Park, KS 66202-1391
U.S Trustee	U.S. Bankruptcy Administrator Office 402 W. Trade Street, Suite 200 Charlotte, NC 28202-1669
Assurance Compagniet Baltica-Skandinavia Aktieselskab	C/O Tryg A/S Klausdalsbrovej 601 2750 Ballerup Denmark
Granite State Insurance Company	500 West Madison Street Suite 3000 Chicago, IL 60661
The Insurance Company of the State of Pennsylvania	175 Water Street, 18th Floor New York, NY 10038